

Election/Restrictions

Claims 1-8 are allowable. The restriction requirement, as set forth in the Office action mailed on Mar 27, 2008, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 9-11 and 18-30, directed to previously non-elected species are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim. However, claims 12-17, directed to a non-elected species remain withdrawn from consideration because they recite an arrangement which is contradictory to the arrangement now recited in claim 1 (note that claim 1, for example at lines 20-22, as amended through the prosecution, now explicitly recites that the second electric motor is at a rear-most location, while the arrangement recited in claim 12 locates the second electric motor adjacent the engine, and would thus be in a forward-most position) and thus do not require all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Claims 9-11 and 18-30 are thus rejoined and allowed. This application is in condition for allowance except for the presence of claims 12-17 directed to a species non-elected without traverse, the subject matter of claims 12-17 not requiring all limitations of the allowed base claims directed to the elected invention, and thus not being rejoined. Accordingly, claims 12-17 have been cancelled.

Conclusion

1. Any inquiry specifically concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is 571-272-6701.

Any inquiries of a general nature or relating to the status of this application may be made through either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A response to this action should be mailed to:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450,

Or faxed to:

PTO Central Fax: 571-273-8300

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